

Attorney Docket: 33229-151557

DECLARATION FOR UNITED STATES PATENT APPLICATION,
POWER OF ATTORNEY, DESIGNATION OF CORRESPONDENCE ADDRESS

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled GERMINATION ACTIVATED RED GANDODERMA LUCIDUM SPORES AND METHOD FOR PRODUCING THE SAME, the specification of which

☐ is attached hereto.

☒ was filed on 10/12/99, as Provisional Application No. 60/158,377 and was amended on _____ [if applicable].

☐ was filed under the Patent Cooperation Treaty on _____, as Application No: _____, the United States of America being designated.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States Provisional Application listed below:

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, utility model, design or inventor's certificate listed below and have also identified below any foreign application(s) for patent, utility model, design or inventor's certificate having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

I hereby appoint the following attorneys and agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Fei-Fei Chao (Reg. No. 43,538), George H. Spencer (Reg. No. 18,038), Robert J. Frank (Reg. No. 19,112), Norman N. Kunitz (Reg. No. 20,586), Gabor J. Kelemen (Reg. No. 21,016), John W. Schneller (Reg. No. 26,031), Marina V. Schneller (Reg. No. 26,032), Robert Kinberg (Reg. No. 26,924), Allen Wood (Reg. No. 28,134), Ashley J. Wells (Reg. No. 29,847), James R. Burdett (Reg. No. 31,594), Michael A. Gollin (Reg. No. 31,957), Catherine M. Voorhees (Reg. No. 33,074), G. Abe Zachariah (Reg. No. 38,366), Julie A. Petruzzelli (Reg. No. 40,769), Catherine A. Ferguson (Reg. No. 40,877), Michael P. Leary (Reg. No. 41,144), Michael A. Sartori (Reg. No. 41,289), Charles C. P. Rories (Reg. No. 43,381), and Jeffrey W. Gluck (Reg. No. 44,457), all at Suite 1000, 1201 New York Avenue, N.W., Washington, D.C. 20005-3917, Telephones: (202) 962-4800, Telefax: (202) 962-8300. Address all correspondence to VENABLE, Post Office Box 34385, Washington, D.C. 20043-9998.

The undersigned hereby authorizes the U.S. attorneys and agents named herein to accept and follow instructions from the undersigned's assignee, if any, and/or, if the undersigned is not a resident of the United States, the undersigned's domestic attorney, patent attorney or patent agent, as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and the undersigned. In the event of a change in the person(s) from whom instructions may be taken, the U.S. attorneys or agents named herein will be so notified by the undersigned.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature: Xin Liu

Date: 05-03-2000

First Joint Inventor: Xin LIU

Citizenship: Chinese

Residence and Post Office Address: Building No. 391, 135 Xingang Xi Road, Guangzhou, People's Republic of China

Signature: Chee-Keung CHUNG

Date: 05-03-2000

Second Joint Inventor: Chee-Keung CHUNG

Citizenship: British

Residence and Post Office Address: Room 1505, Argyle Centre, 688 Nathan Rd., Mongkok, Kowloon, Hong Kong

#185030V1

REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)
33229-200167

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 6,468,542, granted October 22, 2002, and for which a reissue patent is sought on the invention entitled GERMINATION ACTIVATED GANODERMA LUCIDUM SPORES AND METHOD FOR PRODUCING THE SAME,

the specification of which

☒ is attached hereto.

☐ was filed on _____ as reissue application number _____ / _____
and was amended on _____.
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described as follows:

See Attached

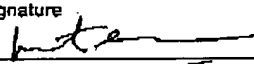
[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

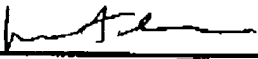
PC Docs No. 514401

PTO/SB/51 (10-00)
 Approved for use through 10/31/2002. OMB 0861-0033
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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| | | | |
|---|----------------|--|--------------|
| (REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2) | | Docket Number (Optional) 33229-200167 | |
| All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. | | | |
| Name(s) Fei-Fei Chao | | Registration Number 43,538 | |
| Correspondence Address: Direct all communications about the application to: <input checked="" type="checkbox"/> Customer Number 26694 → Place Customer Number Bar Code OR Type Customer Number here | | | |
| <input checked="" type="checkbox"/> Firm or Individual Name | VENABLE | | |
| Address | P.O. Box 34385 | | |
| Address | | | |
| City | Washington | State | DC |
| Country | U.S.A. | | |
| Telephone | 202.344.4000 | Fax | 202.344.8300 |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed. | | | |
| Full name of sole or first inventor (given name, family name) Xin LIU | | | |
| Inventor's signature | | | |
| Residence China | | Date | |
| Mailing Address Building No. 381, 135 Xingang Xi Road Guangzhou, People's Republic of China | | Citizenship Chinese | |
| Full name of second joint inventor (given name, family name) Chee-Keung CHUNG | | | |
| Inventor's signature  | | Date | |
| Residence Hong Kong | | Citizenship British | |
| Mailing Address Room 2018, Argyle Centre, 686 Nathan Road Mongkok, Kowloon, Hong Kong | | | |
| Full name of third joint inventor (given name, family name) | | | |
| Inventor's signature | | Date | |
| Residence | | Citizenship | |
| Mailing Address | | | |
| <input type="checkbox"/> Additional joint inventors are named on separately numbered sheets attached hereto. | | | |

Revised PTO/SB/53 (10-00)
 Approved for use through 12/31/2002. OMB 0651-0033
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.
 Attorney Docket No. 32299-200167

| | | |
|--|--|--|
| REISSUE APPLICATION: CONSENT OF ASSIGNEE; STATEMENT OF NON-ASSIGNMENT | | Docket Number (Optional) 32299-200167 |
| This is part of the application for a reissue patent based on the original patent identified below. | | |
| Name of Patentee(s) Xin LIU and Chee-Keung CHUNG | | |
| Patent Number 6,468,542 | Date Patent Issued October 22, 2002 | |
| Title of Invention GERMINATION ACTIVATED GANODERMA LUCIDUM SPORES AND METHOD FOR PRODUCING THE SAME | | |
| <p>1. <input type="checkbox"/> Filed herein is a certificate under 37 CFR 3.73(b).</p> <p>2. <input checked="" type="checkbox"/> Ownership of the patent is in the inventor(s), and no assignment of the patent has been made.</p> <p>One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next entry and go directly to "Name of Assignee".</p> <p>The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.</p> | | |
| The assignee owning an undivided interest in said original patent is/are _____ and the assignee(s) consents to the accompanying application for reissue. | | |
| Name of assignee/inventor (if not assigned) Chee-Keung CHUNG | | |
| Signature  | Date | |
| Typed or printed name and title of person signing for assignee (if assigned) | | |

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

PG Docs No. 514049

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